

PRESS RELEASE

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**Statement by the Presidency on behalf of the European Union**  
**concerning the decision by Ukraine's Constitutional Court**  
**on the death penalty on December 30th, 1999**

The European Union welcomes the decision of the Constitutional Court of Ukraine, approved on December 30th, 1999, establishing that the Ukrainian Criminal code provisions regarding the death penalty are unconstitutional, by violation of articles 27 and 28 of the Constitution which recognises the principle of respect for human life and prohibits any kind of inhumane treatment.

We trust that the Ukrainian Criminal Code shall be reviewed in accordance with this fundamental decision.

The Union finds that this decision shows Ukraine's willingness to join a positive trend towards the universal abolition of the death penalty, which is the ultimate goal of the European Union as set forth in the EU Declaration and the EU guidelines adopted at the General Affairs Council in Luxembourg, in June 1998.

This far-reaching decision is well in line with the aims of the Common Strategy on Ukraine as regards the promotion of human rights, as well as the letter and the spirit of the European Convention for the Protection of Human Rights and all other relevant international legal instruments which call for the abolition of this inhumane practice.

In the light of this positive decision, which strengthens the strategic partnership between the EU and Ukraine, we urge Ukraine to ratify Protocol n°6 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, which is the first instrument in international law to make the abolition of the death penalty a legal obligation for the contracting parties. The EU also recalls Ukraine's undertaking, as a member of the Council of Europe, to fully abolish the death penalty by November 1998.

The Central and Eastern European countries associated with the European Union, Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, the Slovak Republic and Slovenia, the associated countries Cyprus and Malta, and the EFTA countries Iceland, Liechtenstein and Norway, members of the European Economic Area align themselves with this declaration.